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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,661	01/16/2002	Jianhua Fan		6030

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EXAMINER

CHIN, RANDALL E

ART UNIT PAPER NUMBER

1744

DATE MAILED: 06/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/050,661

Applicant(s)

FAN, JIANHUA

Examiner

Randall Chin

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: See Continuation Sheet

Continuation of Attachment(s) 6). Other: the proposed drawing corrections filed 22 February 2005 are approved.

DETAILED ACTION

Claim Objections

1. Claim 2 is objected to because of the following informalities:

The structure which goes to make up the device must be clearly and positively specified. Note the format of the claims in the patent(s) cited.

Claim 2, it is unclear where the "twisting part with an extension twisting handle" is located on the mop. In other words, there must be some structural connection as to where this "twisting part" is located or positioned for clarity purposes.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Hauser '101.

Hauser '101 clearly teaches a mop 10, comprising a long handle, the long handle having an upper handle at 12 (Fig. 1), a bow portion 22, 26, 30, and a lower handle 16 (Fig. 1), each of them having two ends, one end of the bow portion connects to a lower end of the upper handle and another end of the bow portion connects to an upper end

Art Unit: 1744

of the lower handle, and a mass of absorbent material 40 (col. 3, lines 20-21) being fixed on the lower end of the lower portion.

As for claim 2, sleeve 21 (Fig. 4) serves as a twisting part defining an "extension twisting handle" since sleeve 21 can freely rotate or "twist."

As for claim 3, the mass of absorbent material is held at one end by a mass of absorbent material holder 34, 36 (Fig. 2).

As for claim 4, hand grip 18 or 20 serves as a bow holder on the bow for easily turning (Fig. 1).

Allowable Subject Matter

4. Claim 5 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims and rewritten to overcome the above cited claim objections.

5. Applicant's arguments filed 22 February 2005 have been fully considered but they are not persuasive. Note, although the amendment filed 22 February 2005 was deemed Non-Compliant by the Legal Instruments Examiner on 02 March 2005, the Examiner will respond to Applicant's arguments contained therein since Applicant did not repeat these arguments in the most recent filed amendment of 18 March 2005.

Art Unit: 1744

Applicant argues that the instant invention is defined by a long handle formed by a sequence of connections and that the bow portion may be formed on a long handle without connecting (in one piece) but the same shape.

It is the position of the Examiner that Hauser '101 teaches all of the recited subject matter structurally. As to Applicant's first argument that the instant invention is defined by a long handle formed by a sequence of connections, such argument still does not define over what Hauser teaches and shows in the figures as already explained in the art rejection. Clearly, Hauser shows a mop 10, comprising a long handle, the long handle having an upper handle at 12 (Fig. 1), a bow portion 22, 26, 30, and a lower handle 16 (Fig. 1), each of them having two ends, one end of the bow portion connects to a lower end of the upper handle and another end of the bow portion connects to an upper end of the lower handle. Applicant's argument that the bow portion may be formed on a long handle without connecting (in one piece) but the same shape is patentably irrelevant here since any alternative arrangement is not at issue here. Only what has been actually claimed should be at issue. The fact that there may be a part of the long handle of Hauser disposed between two ends of the bow portion still does not preclude Hauser from being applied as a reference. The fact that Hauser may disclose this additional structure is irrelevant. Applicant's other arguments concerning **turning** of the bow around more than 360 degrees since these features upon which Applicant relies are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communication from the Examiner should be directed to Randall Chin whose telephone number is (571) 272-1270. The Examiner can normally be reached on Monday through Thursday and every other Friday.

If attempts to reach the Examiner are unsuccessful, the Examiner's supervisor, John Kim, can be reached at (571) 272-1142. The number for Technology Center 1700 is (571) 272-1700.

The central fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

Art Unit: 1744


published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



R. Chin



Randall Chin
Primary Examiner
Art Unit 1744